

UNITED STATES DISTRICT COURT

for the

District of Nebraska

In the Matter of the Search of
*(Briefly describe the property to be searched
 or identify the person by name and address)*

The residence and premises at 5334 Meredith Street,
 Lincoln, Nebraska 68506, to include any vehicles or
 persons located on the premises.

SEALED

Case No. 4:18MJ3175

SEARCH AND SEIZURE WARRANT

To: Any authorized law enforcement officer and Nebraska State Patrol Investigator Nathan Malicky

An application by a federal law enforcement officer or an attorney for the government requests the search
 of the following person or property located in the _____ District of _____ Nebraska
(identify the person or describe the property to be searched and give its location):

The residence and premises at 5334 Meredith Street, Lincoln, Nebraska 68506, to include any vehicles or persons located
 on the premises.

See Attachment A for further details.

I find that the affidavit(s), or any recorded testimony, establish probable cause to search and seize the person or property
 described above, and that such search will reveal *(identify the person or describe the property to be seized):*

For further information, see Attachment B

YOU ARE COMMANDED to execute this warrant on or before December 18, 2018 *(not to exceed 14 days)*

☒ in the daytime 6:00 a.m. to 10:00 p.m. ☐ at any time in the day or night because good cause has been established.

Unless delayed notice is authorized below, you must give a copy of the warrant and a receipt for the property taken to the
 person from whom, or from whose premises, the property was taken, or leave the copy and receipt at the place where the
 property was taken.

The officer executing this warrant, or an officer present during the execution of the warrant, must prepare an inventory
 as required by law and promptly return this warrant and inventory to Cheryl R. Zwart
(United States Magistrate Judge)


☐ Pursuant to 18 U.S.C. § 3103a(b), I find that immediate notification may have an adverse result listed in 18 U.S.C.
 § 2705 (except for delay of trial), and authorize the officer executing this warrant to delay notice to the person who, or whose
 property, will be searched or seized *(check the appropriate box)*

☐ for _____ days *(not to exceed 30)* ☐ until, the facts justifying, the later specific date of _____.

Sworn to before me by reliable electronic means:

Date and Time: December 4, 2018 11:41 am.

District of Nebraska



 Cheryl R. Zwart, U.S. Magistrate Judge

Return		
Case No.: 4:18MJ3175	Date and time warrant executed: 12/11/2018; 0805hrs	Copy of warrant and inventory left with: Joshua CHATTER
Inventory made in the presence of: Joshua CHATTER		
Inventory of the property taken and name of any person(s) seized: See attached Evidence Inventory and Receipt		
Nothing Further		

Certification

I declare under penalty of perjury that this inventory is correct and was returned along with the original warrant to the designated judge.

Date: 12/11/2018



Executing officer's signature
Terrance TAYLOR - Special Agent

Printed name and title

IMMIGRATION AND CUSTOMS ENFORCEMENT - INVESTIGATIONS

Copy Distribution
 White Case File
 Canary Subject
 Pink SP File

EVIDENCE INVENTORY AND RECEIPT

PAGE 1 OF 1

Case Number

0507QS17050001

Date/Time Search Initiated

12/11/2018 0807

Date/Time Search Terminated

12/11/2018 0906

Subject(s) Name

CLUTTER, Joshua

Address of Seizure

5334 Meredith St Lincoln NE 68506

Item #	Description of Evidence	Found By	Location Found
001	Misc Document	ZW	Basement Bedroom A
002	Phone	ZW	Basement Bedroom A
003	CDs (2)	ZW	Basement Bedroom A
004	Thumbdrive	ZW	Basement Bedroom A
005	Cell Phone	CA	Basement Bedroom (Bed) A
006	Female Undergarments	ZW	Basement Bedroom A
007	XBOX ONE 281423135048	CA	Basement Bedroom A
008	Tablet-ellipsis	CA	Basement Bedroom A
009	Sony ARCHD 3739746	DS	Basement Bedroom A
010	Computer Storage Media (1)	DS	Basement Bedroom A
011	HP Laptop CND7459QKH	MB	Basement Bedroom A
012	Seagate Hard Drive WD WDH1223J	DS	Storage Rm (C)
013	Seagate Hard Drive 4ND0PQ3W	DS	Storage Rm (C)
014	WD Hard Drive WMA8N1015531	DS	Storage Rm (C)
last item			

By

(Agent's Signature)

Received By

Date

12/11/18

Time

0905Ls.

Date

12/11/18

Time

0905

ATTACHMENT A

DESCRIPTION OF PROPERTY TO BE SEARCHED

The property requested to be searched is:

The residence is located at 5334 Meredeth Street, Lincoln, Nebraska 68506. The residence is located on the north side of Meredeth Street. The residence is a single level, two-unit duplex house with a red brick exterior and white trim around windows. The house has a white front door with a white storm door. Unit 5334 is the unit to right (east) when facing the front of the residence. The numbers "5334" are posted in black numbers to the left of the front door below an exterior light. The residence has an unattached two-car garage with reddish-brown garage doors located behind the residence.



ATTACHMENT B

ITEMS TO BE SEIZED

The following materials, which constitute evidence of the commission of a criminal offense, contraband, the fruits of crime, or property designed or intended for use or which is or has been used as the means of committing a criminal offense, namely violations of Title 18, United States Code, Sections 2252 and 2252A:

1. Computers or storage media used as a means to commit the violations described above.
2. For any computer or storage medium whose seizure is otherwise authorized by this warrant, and any computer or storage medium that contains or in which is stored records or information that is otherwise called for by this warrant (hereinafter, "COMPUTER"):
 - a. evidence of who used, owned, or controlled the COMPUTER at the time the things described in this warrant were created, edited, or deleted, such as logs, registry entries, configuration files, saved usernames and passwords, documents, browsing history, user profiles, email, email contacts, "chat," instant messaging logs, photographs, and correspondence;
 - b. evidence of software that would allow others to control the COMPUTER, such as viruses, Trojan horses, and other forms of malicious software, as well as evidence of the presence or absence of security software designed to detect malicious software;
 - c. evidence of the lack of such malicious software;

- d. evidence indicating how and when the computer was accessed or used to determine the chronological context of computer access, use, and events relating to the crime(s) under investigation and to the computer user;
- e. evidence indicating the computer user's knowledge and/or intent as it relates to the crime(s) under investigation;
- f. evidence of the attachment to the COMPUTER of other storage devices or similar containers for electronic evidence;
- g. evidence of programs (and associated data) that are designed to eliminate data from the COMPUTER;
- h. evidence of the times the COMPUTER was used;
- i. passwords, encryption keys, and other access devices that may be necessary to access the COMPUTER;
- j. documentation and manuals that may be necessary to access the COMPUTER or to conduct a forensic examination of the COMPUTER;
- k. records of or information about Internet Protocol addresses used by the COMPUTER;
- l. records of or information about the COMPUTER's Internet activity, including firewall logs, caches, browser history and cookies, "bookmarked" or "favorite" web pages, search terms that the user entered into any Internet search engine, and records of user-typed web addresses; and
- m. contextual information necessary to understand the evidence described in this attachment.

3. Routers, modems, and network equipment used to connect computers to the Internet.
4. Child pornography and child erotica.
5. Digital communications devices to include cellular telephones, email devices, tablets, and personal digital assistants.
6. Safes or strongboxes, safe or strongbox keys, safe deposit box keys, storage facility keys or storage keys, or records pertaining to safe deposit boxes or storage areas where child pornography, child erotica, or computers or storage media may be located.
7. Records, information, and items relating to violations of the statutes described above including:
 - a. Records, information, and items relating to the occupancy or ownership of the SUBJECT PREMISES, including utility and telephone bills, mail envelopes, or addressed correspondence;
 - b. Records, information, and items relating to the ownership or use of computer equipment found in the above residence, including sales receipts, bills for Internet access, and handwritten notes;
 - c. Records and information relating to the identity or location of the persons suspected of violating the statutes described above;
 - d. Records and information relating to the sexual exploitation of children, including correspondence and communications between users of Google Drive and Facebook;
 - e. Records and information showing access to and/or use of Facebook and Google Drive; and

- f. Records and information relating or pertaining to the identity of the person or persons using or associated with the usernames on the Google Drive and Facebook accounts identified in this Affidavit.
- 8. During the course of the search, photographs of the searched SUBJECT PREMISES may also be taken to record the condition thereof and/or the location of items therein.
- 9. As used above, the terms “records” and “information” includes all forms of creation or storage, including any form of computer or electronic storage (such as hard disks or other media that can store data); any handmade form (such as writing); any mechanical form (such as printing or typing); and any photographic form (such as microfilm, microfiche, prints, slides, negatives, videotapes, motion pictures, or photocopies).
- 10. The term “computer” includes all types of electronic, magnetic, optical, electrochemical, or other high speed data processing devices performing logical, arithmetic, or storage functions, including desktop computers, notebook computers, mobile phones, tablets, server computers, and network hardware.
- 11. The term “storage medium” includes any physical object upon which computer data can be recorded, including external and internal hard drives, flash drives, thumb drives, micro SD cards, macro SD cards, DVDs, gaming systems, SIM cards, cellular phones capable of storage, floppy disks, compact discs, magnetic tapes, memory cards, memory chips, and other magnetic or optical media.